Johnson's Brinkmanship in Laos, P. 4

"It'll Be A Hot Summer in Mississippi—And I Don't Mean The Weather"

"Well, I can say there will be a hot summer in Mississippi, and I don't mean the weather. Because the people are really getting prepared. They have been riding with guns. But Ruleville is a very small town. There are about 2,000 people in there. I see now they have a tank, and they are keeping the dog riding on the back of the truck so if the truck stops, the dog won't have anything to do but jump off. And the mayor, he would ride around and tell folk don't let the outside people come into their homes, because after they stay awhile, they would just beat them up. But they say, 'Don't say anything to Fannie Lou.'

"I'm not even going on that street. My husband was fired the day after I qualified to run as congresswoman in the Second Congressional District. Last week he had gotten a second job. The mayor went out on this job on which he was working, so he will probably be fired by the time I get back home."

—Testimony of Fannie Lou Hamer before COFO Citizens Panel on Mississippi. Transcript put in Congressional Record June 17 by Rep. Ryan (N.Y.)

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A Noble Task for This Generation in America

At every turn the long fight over the Civil Rights Bill of 1964 has attested the power of minorities. A minority of Southern Senators was able to hold up action for months by filibuster until shut off by a two-thirds vote. A minority of the minority Republicans was able to water the bill down as the price of reaching the two-thirds required for cloture. Neither the Republicans nor the Democrats could afford to antagonize the Negro minorities in the urban and industrial centers of the North. The bill itself, the first comprehensive Federal civil rights legislation since the days of Reconstruction, marks the arrival of the Negro as a major force in American politics; what the Radicals sought to confer upon him as a gift after the Civil War he has now obtained on his own. Finally, it is no secret that the Negro upsurge has been the work of a minority of a minority. SNCC and CORE and SCLC and NAACP are made up of heroic but pitifully small numbers well padded out on every picket line with white sympathizers. As in almost every revolution, social, national or racial, the discerning will see the apathetic or cautious mass behind the glamorous scene. Here we see again what a few who care can do.

Russell Deplores The Clergy

The bill is also a triumph of conscience. "I have observed with profound sorrow," Russell of Georgia told the Senate last Wednesday, "the role that many religious leaders have played. . . . We have seen cardinals, bishops, elders, stated clerks, common preachers, priests and rabbis come to Washington to press for the passage of this bill." He complained —could there have been a greater confession of obtuseness?— that they had sought to make its passage "a great moral issue"! The four little girls killed in that bombing of the Negro Church in Birmingham last September did not die in vain. Here again a minority played its part, a religious leadership minority and the minority of the imaginative and sympathetic whites. Right was on the Negro's side, and the white majority was ashamed.

There was a third major factor. "Lyndon Johnson," Russell said bitterly on the floor the day the filibuster was shut off, "had more to do with this than any one man." The remark was not meant as an accolade. Russell himself later struck it from the Record lest so burning an accusation come back to haunt him later as a party regular. But the fact is that the same Lyndon Johnson who made his debut in the Senate 15 years ago as an opponent of Federal civil rights legislation of any kind, even against lynching, has made his debut as President by successfully putting through Congress the most sweeping civil rights bill in a hundred years. He who once upheld the filibuster as a guarantee of minority rights has now presided over the first application of cloture to shut it off on a civil rights measure. The bill as passed under Johnson is better than the bill originally proposed by Kennedy. The latter found himself stalemated between the deep hatred of the South for this Catholic Yankee Negro

(Continued on Page Two)

'I Could Hear People Screaming'

On August 31, in 1962, I traveled 26 miles to the county courthouse to try to register (to vote.) I was fired the 31st of August from a plantation where I had worked as a timekeeper and sharecropper for 18 years. My husband had worked there thirty years.

On the 10th of September, they fired into the home of Mr. and Mrs. Robert Tucker 16 times for me. That same night two girls were shot at Mr. Herman Sissel's. Also, they shot Mr. Joe Maglon's house. I haven't had a job since that day I was fired.

In 1963, I attended a voter registration workshop and was returning back to Mississippi. At Winona, Miss., I was arrested. After I was locked up in a cell, I began to hear the sounds of licks, and I could hear people screaming. I don't know how long it lasted before I saw Miss Ponder, the Southwide supervisor for SCLC (Southern Conference Leadership Conference) pass the cell with both her hands up. Her eyes looked like blood, and her mouth was swollen. Her clothes was torn. (Then) I was carried out of the cell into another cell where there were two Negro prisoners. The state highway patrolman gave the first Negro a long blackjack that was loaded with something, and I was beat until I was exhausted.

—Testimony of Fannie Lou Hamer, Ruleville Miss. (abr.) before the COFO panel.

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Biggest Defect Absence of Stronger Powers Against Police Brutality . . .

lover and the glee of the Republican leadership which hoped to benefit by a party split. The appearance of a new President, the fact that he spoke with a Southern accent and was himself a conformist rather than maverick Southerner, the fact that he had to prove himself to the Northern liberal and the Negro, changed the political situation overnight. Johnson's enormous gifts as a persuader and wheeler-dealer made themselves felt in both House and Senate. He was the No. 1 lobbyist for civil rights.

The Value of Three-Judge Courts

Republicans in the Senate exacted compromises to supply the votes needed for cloture and passage, but even so the bill retains sections on fair employment practices and equal access to public accommodations. Neither was included in Kennedy's original proposals. Voting rights were still the main emphasis of his Civil Rights message. Then he suggested that the courts be authorized to appoint voting referees where the Attorney General certified that less than 15% of any racial group was registered. Now the Attorney General can act wherever he finds a "pattern or practice" of discrimination. Best of all he may detour around the white supremacist judges on most of the Federal District Courts in the South by asking for a three-judge court to be set up by the Chief Judge of the Circuit. Three-judge courts may also be asked where Negroes are refused access to public accommodations.

Except for the absence of stronger powers against police brutality and the deletion of authority to allow the Attorney General to initiate preventive action against the suppression of basic rights, the bill is almost as broad as one would have wished. Its weakness lies in its enforcement provisions. This is most striking in the case of the Equal Employment Opportunity Commission, which has been steadily watered down. The Clark and Roosevelt bills would both have established a Commission with power to issue cease and desist orders, like other regulatory commissions, enforcible in the Circuit Courts of Appeals. The House Republicans moved the enforcement power to the Federal District Courts and gave them the right to make their own findings *de novo*. The Dirksen substitute weakened this further. If the Commission is unable to obtain voluntary compliance, the complainant is free to bring a civil action in court! If the employer or labor union fails to obey the court's order "the Commission may commence proceedings to compel compliance." This is certainly going the long way round. On the other hand where the Attorney General finds a "pattern or practice" of discrimination, as in the South, he can bring a civil action on his own.

Going Easy on the North

The essence of the Dirksen-Humphrey compromise was to go easy on the North for the sake of better enforcement in the South. The North has been provided with a major loophole by requiring that fair employment and public accommodations cases first be brought before State civil rights agen-

Without Anaesthesia

"February 28, 1963, I attended a voter registration meeting in Greenwood, Mississippi, along with Robert Moses and Randolph Blackwell. After the meeting was over, we left the SNCC office en route to Greenville. A white Buick began following us. There were three white men in it. When no other cars were in sight, it pulled up alongside and opened fire with a submachine gun. I was hit in the back of the head and shoulder.

"They took me to the hospital in Greenwood. The doctor took some X-rays and he wanted to remove the bullet. But I did not want him to because I was afraid he would not do his best. The following day I was transferred to a hospital in Jackson, a university hospital. The bullet was removed that afternoon without any anaesthesia.

"Two days after they took the bullet out, the doctor came in after breakfast and said, 'You are discharged.' I told him I didn't feel up to it. He came in (again) after supper and he said, 'You are discharged and you got to leave.' So I left.

"The people who did the shooting were arrested and released on bond. And in November the trial was to come up, but after the death of Pres. Kennedy they postponed it. They said people would have resentment because of the assassination. And nothing more has come of it."

—Testimony of James Travis, SNCC worker.

The Sheriff Put One Hand On His Blackjack And The Other on His Pistol

Mr. FREEDMAN: I understand you have been involved in attempts to register to vote. Have you been successful?

Mr. TURNBOW: No, sir, I haven't. The second time I went to take it over again, the Circuit Clerk told me no, I didn't pass, I wouldn't never pass. And he tried to raise a big fuss with me, so I walked out. The first time we had lots of trouble. We had heard of a citizenship school being taught in Leflore County. Some of the citizens in our area asked them to come down and tell us about it. John Ball, he come, and he talked to us and told us that he was learning us how to register, since we were not familiar with registering in Mississippi. So in a two week period, fourteen of us thought we knowed it well enough to go register. We went to Lexington. We didn't drive our cars up in town. We stopped them outside and we walked uptown. We didn't walk in a big gang. We walked in two's about ten or twelve feet apart, so they couldn't say we was demonstrating.

So we was met by the sheriff, Mr. Andrew P. Smith. He met us at the south door of the courthouse. And he stopped us. So Samuel Block was leading us. And Samuel Block said "March forward." And Mr. Smith put one hand on his blackjack and the other one on his pistol and said, "None of that goddamned forward stuff here."

So I stepped out the line. I said, "Mr. Smith, we only come to register." He said, "Well, Turnbow, go around to the north side of the courthouse and stop under that tree and don't go in no big crowd, go in two's." So we did that, Mr. Smith, Mr. Andrew P. Smith, he came round there under the tree where we were standing and he looked at us, he put one hand on his blackjack and the other on his pistol and raised his voice. He said, "All right, now, who will be first?" And the fourteen of us got scared and looked at the other. So when the fourteen commenced looking one at the other, I just stepped out of the fourteen. I said, "I will be first, Mr. Smith." No sooner I said I will be first than Mr. Smith calmed his voice. He said, "All right, Turnbow, go down the side, and go in the courthouse and do what you go to do." [See the sequel next page.]

—Testimony of Hartman Turnbow, Tchula, Miss. (abr.).

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. . . Courts Can Shut Down Non-Complying Businesses Until They Obey

cies; these exist only in the North. Most of them are pretty poor. There has been speculation that the South might set up agencies of its own to take advantage of this method for giving the Negro a run-around. But one hopes this would prove little more than a delaying action since time limits are placed on the state agencies and the law requires that they be "effective."

The South's Big Loophole

The big loophole for the South is the Morton amendment requirement for jury trials in all criminal contempt cases—except those arising out of voting rights where a Judge may still impose a prison sentence of up to 45 days and a fine of up to $300 without a jury. Southern juries are expected to acquit. In public accommodations and fair employment cases the courts nevertheless have a powerful civil remedy. They can close down a restaurant or a factory until it complies. The most important new punitive power in the bill—and the one the South most fears—is the cutting off of Federal aid where there has been discrimination in its use. Much will depend on the will to enforce, especially on the part of the Attorney General; on the militancy of the Negro; and on the extent to which opinion can be mobilized by the President for large-scale voluntary compliance, particularly in access to public accommodations. Here it will be easiest for the Negro to make his impact felt without prolonged and costly litigation.

Fresh Heart to Fight

No one can tell just what effect the law will have. Some Northern States like New York have long had much better civil rights laws and yet the Negro in them still lives a life apart and degraded. The testimony from Mississippi in the boxes on our first three pages from the hearing held in Washington June 8 by a citizens' panel shows the brutal reality which confronts the Negro when he tries to vote in many parts of the South. The law will not change that, except in encouraging the Negro to be more militant. That is perhaps its most important function. By recognizing his rights, it gives him fresh heart to fight for them. But his road to freedom is still a long, rocky and probably bloody one. His rights must remain theoretical so long as his education is inferior, and he is caught in the vicious circle of poverty and ignorance. But he is not the only one who needs to be educated. The fight which the Presidency, the clergy, the labor leadership and intellectuals of all kinds have waged to win this bill must now be applied to the harder task of changing white men's attitudes. The bill and the effort behind it does our country proud. There are few nations on earth which have so mobilized all their leadership circles in a concerted drive against racism, a disease that poisons human relations everywhere on this planet. India has done far less for the untouchable than we for the Negro; the new Negro republics tend to be as racist as the white. To set a better example here, to bring Negroes into the full orbit of American life, to make them feel this is their country, too—what a noble task for this generation of Americans.

It's Dangerous To Go Home Again

Mr. PERCY BREWER: (brother of Charles and Greene Brewer) Well, now, after he (Charles) came to three days later, after he got where he could talk, he said he [had gone] in the store and called for two pops, one for him and one for my brother over here (Greene) and said the store owner asked him if he wanted the pops opened, and he told him yes. The man said, "When a damn nigger goes north and comes back, he gets beside himself, and he gets where he can't respect white folks." (Charles) turned to walk out of the store. Mr. Rittle reached behind a heater and pulled out an axe handle and cut him off between there and the door. He turned around and Mr. Hunter, the store owner, swung at him with an axe handle. He throwed up his left arm, and grabbed the axe handle with his right hand and said a lick come from behind him, and that is all he remembered before the next four days in the hospital. So I asked the doctor what condition was he in, and the doctor told me he didn't have no broken bones but for about five days he would throw up blood by the pan full, bleed from his nose and mouth and ears. He stayed in the hospital for eight days. He came out of the hospital on the 12th and was drafted into the army on the 17th. And that is where he is now."

—Testimony before COFO panel.

They Fire-Bombed His House—And Then Arrested Him for Arson

Mr. TURNBOW: So after dinner, I went back in [the courthouse] and [the clerk] was in. He said, "What do you want?" I said, "I want to register to vote." He just handed me the form and I filled it out and signed it and handed it back to him. So then after that I noticed the next day the Lexington Herald, a little local paper they write—they had a write-up that "Hartman Turnbow was an integration leader." About two weeks or little after that my house was fire-bombed and shot in all at the same time. My wife and daughter, she is sixteen, they jumped out of bed screaming and hollering that the house is on fire, it has been bombed. I had a little old 22 automatic Remington sitting over in the corner. I picked it up and pushed the safety off and run out. And no sooner I got out in the open with my rifle in my hand, I saw two white men, and one of them no sooner he saw me shot at me. I had my 22 already in position and I just commenced shooting at him right fast. But while me and this one on the back were shooting at each other, somebody on the front was shooting all in the front of the house.

After daylight broke, we got in the car and we went out to Mitchell's, and we asked them to call the Justice Department and ask them to send an FBI to investigate the shooting and burning. They were there investigating when the sheriff [Mr. Smith] got there. After the FBI left, he asked me "How did it start?" I told him how it started. He said, "You could have done it." Then when he said I could have done it, I said, "Mr. Smith, can I ask you a question?" He said, "Yes, you can ask me a question, one." I said, "Well, do you think I would set my house on fire and don't have no insurance on it?"

So late that evening, about dark, Mr. Smith come back to my house and called me. I walked out there where he was. He said, "I got an arson charge against you, get them up." I got them up, and they pat me down. I got on in the car. So they took me to Lexington and put me in jail.

—From testimony of Hartman Turnbow, resident of Tchula, Mississippi, Leflore County (abridged).

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Senator Bartlett Again Urges That We Try de Gaulle's Road to Peace in Asia

Johnson Practicing Brinkmanship in Escalating The War in Laos

It now seems the purpose of the Honolulu meeting was to prepare for the escalation of the war in Southeast Asia, to use bombing planes in Laos and to get ready for wider action if the Chinese meet the challenge. This is brinkmanship on a particularly deep brink—a war with China which would begin with successful bombardment of Chinese cities and then bog down into a prolonged conflict on the ground. The human suffering that could lie ahead is beyond conception. The split between Moscow and Peking is so fundamental that the Russians may not be at all averse to letting us weaken China for them, and at the same time tie our power down in Asia. It is appalling that we should let ourselves be sucked into this deadly quagmire without the American people being consulted or even made aware of what is happening. . . . As the war clouds gathered, Bartlett (D. Alaska) made a speech in the Senate (June 15)—largely unreported in the press, like most of the peace speeches—warning that we could not make peace in Southeast Asia without China and supporting de Gaulle's proposal to reconvene the Geneva conference and seek a settlement by neutralization. . . . After hearing Rusk in executive session, Morse told the Senate that same day, "I am more convinced than ever, after listening to the Secretary of State, that we are heading for a major war in Asia if we continue our unilateral military action. . . ."

At the Supreme Court

The essential conflict in the historic reapportionment decisions may be seen from a passage in a dissent by Justice Stewart complaining that the majority "forever freezes one theory of political thought within our Constitution," denying the States freedom by districting to avoid "absolute domination by a geographically concentrated or highly organized majority"—in plainer words, the philosophy of majority rule. The obstacle to its "absolute domination," in Justice Stewart's question-begging phrase, lies in constitutional guarantees of minority rights and free expression. It does not lie in district lines which give a rural minority the right to govern urban majorities. These new decisions should end the one-party system in the South and advance the Negro struggle. . . .

First Voice for Peace in The House

"One possibility [for negotiating peace] would be a minimal agreement that both North and South Vietnam would not join any military alliances or attempt to overthrow each other, either by subversion or direct warfare. Each would be allowed to develop its own form of government and to live in peace. Under this proposal the South would agree to normalize trade relations with the North, but that would not necessarily mean diplomatic recognition. The relationship between East and West Germany could be used as an example. A variation of this proposal might include joint economic development projects between North and South, which could look toward eventual reunification and free elections for the entire country."

—Rep. Wm. Fitts Ryan (D. N.Y.) *June 10, the first speech in the House for a negotiated peace. Burton* (D. Cal.) *rose to commend him and to associate himself with Ryan's remarks.*

The Supreme Court last Monday agreed to hear the appeal by Dr. James A. Dombrowski and the Southern Conference Educational Fund from the 2-to-1 decision of a statutory 3-judge court in their suit to recover records seized from them by the Louisiana Un-American Activities Committee. Circuit Court Judge John Minor Wisdom, the dissenter in that ruling, said the real question was whether Louisiana "under the pretext of protecting itself against subversion, has harassed, and humiliated the plaintiffs and is about to prosecute them because their activities in promoting civil rights for Negroes conflict with the State's steel-hard policy of segregation." The Court also allowed the National Lawyers Guild and the American Civil Liberties Union to file briefs amicus in the appeal. Justice Black took no part. . . .

The *Washington Star* in an editorial June 8 called the MLF a "multilateral farce." . . . The State Department is encountering strong disagreement from leadership groups being briefed privately in favor of these floating naval Towers of Babel in which the Germans would be given a finger at last on the nuclear trigger. . . .

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